

The Regular Meeting of the
 Brian Head Town Council Acting as the Governing Board for
 Brian Head Redevelopment Agency &
 Brian Head Special Service District
 Brian Head Town Hall - 56 North Highway 143 Brian Head, UT 84719
MONDAY, JUNE 24, 2019 @ 1:00 PM

Roll Call:

Members Present: Mayor Clayton Calloway, Council Member Shad Hunter, Council Member Lynn Mulder, Council Member Kelly Marshall

Members Absent: Council Member Larry Freeberg

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Chief Dan Benson, Public Safety Director; Aldo Biasi, Public Works Director; Cecilia Johnson, Town Treasurer

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Brian Head Town Council acting as the governing board for the Brian Head Redevelopment Agency, Municipal Building Authority and Special Service District to order at 1:00 pm.

B. PLEDGE OF ALLEGIANCE

Mayor Calloway led the Council and others in the Pledge of Allegiance.

C. DISCLOSURES

There were no conflicts of interest with today's agenda items. Mayor Calloway stated that the disclosure statements are on file at the Town Clerk's office and are available for public inspection during normal business hours.

A. APPROVAL OF THE MINUTES:

1. May 28, 2019 Town Council Meeting

Motion: Council Member Hunter moved to approve the May 28, 2019 Town Council minutes. Council member Mulder seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Council Member Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway. Absent: Council Member Freeberg).**

2. June 10, 2019 Town Council Meeting

Nancy Leigh, Town Clerk, requested the Council table the June 10, 2019 Town Council minutes since they were not yet completed. The minutes were tabled until the next Council meeting.

3. June 10, 2019 Town Council Closed Session

Motion: Council Member Marshal moved to approve the June 10, 2019 Town Council closed session minutes. Council Member Hunter seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Council Member Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway. Absent: Council Member Freeberg).**



1
2 **B. REPORTS / PUBLIC INPUT (Limited to three (3) minutes) Non-Agenda**
3 **Items**

4
5 **Nancy Leigh, Town Clerk**, reported the Good Neighbor Policy Group met to review the
6 Good Neighbor Policy and will bring a recommendation to the Council.

7
8 **Mayor Calloway**

- 9 1. Thanked staff for distributing information on the boil order that recently took place.
10 Mayor Calloway commented the process was handled in a professional manner.

11
12 **Bret Howser, Town Manager**

- 13 1. Attended a Community Impact Board (CIB) meeting in Vernal, Utah last week on a
14 supplemental request grant application for the Mountain View waterline project. Bret
15 explained the project bids came in significantly higher than anticipated and staff
16 submitted a supplemental grant request for the additional funding.
17 2. The wayfinding signage project has begun. Footings and bases are being installed
18 throughout various locations in town. The project should be completed shortly after
19 the 4th of July holiday.
20 3. ACE Crews will be working on the Manzanita Trail and will be flagging the trailhead to
21 the fencing on the Mitchell property. The trail may loop into the ATV trail. A future
22 phase may be the potential for a loop to the entryway sign, this would depend on
23 funding.
24 4. Updated the Council on the Dark Hollow bike trail. Bret reported several people went
25 out last fall to find a different trail that would parallel the existing trail due to flooding
26 that took place. Staff was unable to extend the single track. Crews will continue to
27 finish up the Bunker Creek trail and begin working on the Dark Hollow Trail. Staff will
28 be meeting with the biking community to receive input on possible solutions for the
29 Dark Hollow Trail.

30
31 **Chief Dan Benson**

- 32 1. The department will be contracting out the 4th of July fireworks display this year. The
33 firefighters will be taking their pyro test in order to be certified in case there is an
34 issue with the contractor.
35 2. Officer Jared Burton received a \$2,300 grant for medical supplies for the department.
36 The department also received a \$4,300 grant for equipment.
37 3. Staff has the woodchipper scheduled for chipping.

38
39 **Aldo Biasi, Public Works Director**

- 40 a) The boil order is currently in effect. Aldo updated the Council on the testing that took
41 place over the weekend in which the water tests came back good. The State will
42 need two more water samples before the boil order is released and each test
43 requires 24 hours between testing. Charlene Foley inquired as to how the public will
44 be informed the boil order is lifted. Bret reported the staff will be sending out
45 notification via social media, reverse 911 and an email blast.

46
47
48 **F. AGENDA ITEMS:**

- 49
50 1. **MOUNTAIN VIEW WATERLINE BID AWARD.** A bid award for the Mountain View
51 Waterline project.

52
53 Aldo Biasi, Public Works Director, submitted the bid tabulations for the Mountain View
54 Waterline Project (see attached). Aldo requested the Council approve the bid from John
55 Orton Excavation in the amount of \$669,740 for the project.
56



1 Bret reported the initial bids came in higher than anticipated and staff negotiated with the
 2 contractors and reduced the initial amount. Aldo explained the proposed bid amount
 3 does not include the pump station since the engineers are still working on the plans.
 4

5 The Council discussed the following:

- 6 a) The Mountain View and Salt Pile projects have a cost totaling 1.7 million dollars. CIB
 7 is funding a portion of the project and the Town has saved up over \$700,000 for the
 8 project.
 9 b) The estimated cost for the pump station is \$100,000 which will be added on at a later
 10 date.
 11 c) Once the Mountain View dedicated line is installed, the waterline can then become a
 12 distribution line in which the public can then hook into the water system. The public
 13 is unable to hook into the waterline during the construction phase of the project.
 14 d) A completion date has not yet been determined. Staff will work with Orton Excavation
 15 on a completion date.
 16 e) Mayor Calloway reported he received an email from Council Member Freeberg on
 17 his comments for the project. Mayor Calloway read the email to the Council (see
 18 attached). Mayor Calloway commented he believed Council Member Freeberg was
 19 under the impression one contractor was completing both projects, but in fact, there
 20 are two separate contractors for the projects (Mountain View Waterline and Salt Pile
 21 to Million-gallon tank).
 22 f) Staff will continue to work with the engineers on keeping the project management
 23 costs down. Alpha Engineering is involved in the construction management and will
 24 be combining three projects in their schedule (Mountain View Waterline, Salt Pile to
 25 1MG Tank and the Streets Projects).
 26

27 **Motion:** Council Member Marshall moved to award the Mountain View Dedicated
 28 Waterline Project to Orton Excavation in the amount of \$669,740 as
 29 presented. Council Member Hunter seconded the motion.

30 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
 31 Hunter, Council Member Mulder, Council Member Marshall, Mayor
 32 Calloway. **Absent:** Council Member Freeberg).
 33
 34

35 **2. ADOPTION OF THE FISCAL YEAR 2019 AMENDED BUDGETS.** Adoption of the
 36 FY2019 Budgets for the Town, Redevelopment Agency and Special Service District by
 37 ordinance/resolutions.
 38

39 Cecilia Johnson, Town Treasurer, presented the amended budgets for the Town,
 40 Municipal Building Authority, Special Service District and the Redevelopment Agency
 41 (see attached). Cecilia requested the Council/Board adopt the amended budgets.
 42

43 The Council/Board discussed the following:

- 44 a) The amended Town Budget was a reflection of the high snow year in which
 45 there were expenses due to snow removal.
 46 b) The Municipal Building Authority (MBA) was amended due to completing
 47 improvements at the public safety building.
 48 c) The shuttle services identified approximately \$9,000 of additional services for
 49 the winter, which included the Thanksgiving holiday.
 50

51 **Brian Head Town Budget**

52 **Motion:** Mayor Calloway moved to adopt ordinance No. 19-003 amending the Brian
 53 Head Town budget for fiscal year 2019. Council Member Hunter seconded
 54 the motion.

55 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
 56 Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway.
 57 **Absent:** Council Member Freeberg).
 58



1 **Redevelopment Agency Budget**

2 **Motion:** Chairperson Calloway moved to adopt resolution No. RDA-034, amending
3 the fiscal year 2019 Redevelopment Agency Budget as presented. Board
4 Member Mulder seconded the motion.

5 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Board Member
6 Hunter, Board Member Mulder, Board Member Marshall, Chairperson
7 Calloway. **Absent:** Board Member Freeberg).

8
9 **Special Service District Budget**

10 **Motion:** Chairperson Calloway moved to adopt resolution No. SSD-027 amending the
11 fiscal year 2019 Special Service District Budget as presented. Board
12 Member Marshall seconded the motion.

13 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Board Member
14 Hunter, Board Member Mulder, Board Member Marshall, Chairperson
15 Calloway. **Absent:** Board Member Freeberg).

16
17 **Municipal Building Authority Budget**

18 **Motion:** Chairperson Calloway moved to adopt resolution No. MBA-008, amending
19 the fiscal year 2019 Municipal Building Authority budget as presented. Board
20 Member Hunter seconded the motion.

21 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Board Member
22 Hunter, Board Member Mulder, Board Member Marshall, Chairperson
23 Calloway. **Absent:** Board Member Freeberg)

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25
26
27 **3. INTERNATIONAL DARK SKY COMMUNITY CERTIFICATION.** A discussion of
28 whether to make Brian Head an International Dark Sky Community.

29
30 Bret Howser, Town Manager, reported Council identified an action step in the fiscal year
31 2019 Strategic Plan to review a Night Sky Ordinance. Bret explained that in reviewing
32 the criteria for an International Night Sky Certification, one requirement were signs are to
33 be turned off one hour after sunset. Bret explained that some requirements such as the
34 one he mentioned may not suit Brian Head's needs and may present a challenge on
35 enforcement.

36
37 Bret reported the Planning Commission discussed this item and their consensus was to
38 identify a Night Sky ordinance that fit more towards Brian Head and address it in the town
39 code. The Planning Commission also requested more information on the night sky issue

40
41 Shaun Kelly, Planning Commission, stated the dark sky code identifies light that can be
42 seen for safety purposes but also trying to avoid thing such as lighting trespass. It also
43 discusses glare from lights but does not address lights coming through windows. The
44 main focus is that lighting should be directed to what it is aimed at.

45
46 The Council discussed the following:

- 47 a) Bret reported that some of the night sky certification requirements are already
48 covered in the Town's ordinances.
- 49 b) Wendy Dowland, Public Works Assistant, reported in her research on other night
50 sky communities, they have adjusted the night sky ordinance specific to their
51 community needs. The majority of communities require some type of shield on
52 lighting, so the light is not projecting outward.
- 53 c) Council Member Marshall inquired as to how the night skiing at the Resort would
54 affect the night sky code. Wendy explained they fall under the outdoor recreation
55 and would have to be turned off at a certain time.
- 56 d) Shaun Kelly commented if the Town were to adopt a Night Sky Ordinance, it
57 would support Cedar Breaks National Monument who is an International Dark
58 Sky area.



- 1 e) Streetlights were discussed. Bret explained the Town needs a policy discussion
2 on street lighting as to when and where the lights goes.
3 f) Mayor Calloway commented he believes it is a safety issue with the streetlights
4 from his experience. He has seen guests trying to navigate the area after dark
5 and believes it is important to have streetlights in parking lots. He has
6 experienced this with vehicles trying to navigate Apple Annies parking lot after
7 dark.
8 g) Mayor Calloway commented he has also seen the need to have lights after dark
9 as a business owner to help navigate the guests to the businesses that are open.
10 Especially in the wintertime when it is dark early.
11 h) Bret reported he can identify streetlights into a policy such as commercial parking
12 lots, but that neighborhood areas would have something different. Once the
13 policy is set, staff can inventory the lights and identify a status for each one.
14 i) Shaun Kelly commented he is concerned with the safety and the visitor
15 experience and would agree to having enough lighting on the ground that people
16 can navigate but would encourage the Council to move towards on what the
17 Town would need to change. Such as identifying how many lights would be out
18 of compliance with the requirements.
19 j) Bret reported staff is currently working on the town building's lights but hasn't
20 measured the total lumens on the building lights. Staff plans to develop a plan for
21 shielding the lighting.
22 k) Mayor Calloway commented the current dark sky code is strict and his one
23 concern is the sense of place when visitors arrive after dark. They have enough
24 difficulty navigating through town and if the town becomes a Dark Sky
25 Community, then it would affect the visitor experience. He does not see a
26 financial boost for the town to become a Dark Sky Community.
27 l) If the Town were to become a Dark Sky Community, then the lighting would go to
28 a higher standard and would require resources. Mayor Calloway commented he
29 is unsure of what the cost would entail.
30 m) Council Member Hunter commented the Council developed core values and
31 should consider whether it meets one of the five points of the Council's core
32 values.
33 n) Council Member Mulder commented she would like to see more done. She has
34 been to places where there isn't so much wasted lights and she enjoys the Dark
35 Skies presentations that are given by Cedar Breaks National Monument.
36 o) Council Member Marshall inquired as to how the Town could enforce the code.
37 Bret responded if the Town would identify a policy regarding the streetlights, this
38 would be a major step forward.
39 p) The Town Code already addresses facing and shielding of lights.
40 q) The Planning Commission began reviewing the color spectrum but has not yet
41 completed their review.
42 r) Bret reported staff could follow-up on the sign issue as it relates to the dark sky
43 codes, review the total lumin per acre, and present examples for review.
44

45 Bret requested direction from the Council on whether to pursue a Dark Sky
46 Certification, modify the Dark Sky ordinance to fit Brian Head's needs, or amend the
47 Town Code addressing lighting.
48

49 **Consensus of the Council:** Establish a code that fits Brian Head and determine
50 whether it fits into the Dark Sky certification requirements and present to Council for
51 review.
52

- 53
54 **4. SNOW REMOVAL POLICY RESOLUTION AND ORDINANCE AMENDING**
55 **TITLE 6, CHAPTER 2A.7 (SEASONAL PARKING REGULATIONS AND**
56 **ESTABLISHING CHAPTER 6 (RESIDENTIAL SNOW REMOVAL**
57 **REGULATIONS) INTO TITLE 4 OF THE BRIAN HEAD TOWN CODE. A**
58 **resolution adopting the Snow Removal Policy and an ordinance amending the seasonal parking**



1 regulations and establishing Chapter 6, Residential Snow Removal Regulations into Title 4 (Health,
2 Sanitation and Environment) of the Brian Head Town Code.
3

4 Aldo Biasi, Public Works Director, presented a draft resolution amending the Snow
5 Removal Policy (see attached). Aldo also presented a draft ordinance amending Title
6 6.2A.7 of the Parking Code and 6.2A.6 establishing Residential Snow Removal
7 Regulations (see attached).
8

9 **Snow Removal Policy Resolution:**

10 Aldo explained the Council reviewed the Snow Removal Policy several months ago and
11 gave recommendations on changes for the policy. Aldo explained that staff has
12 amended the policy based on the changes Council identified. Aldo reported the Snow
13 Removal Policy is identified as a policy for the Public Works Department to operate by
14 and does not regulate the public.
15

16 Council discussed the following:

- 17 a) Mayor Calloway inquired as to the Town Standards and who is responsible for
18 bringing a road/street up to the Town standards since some areas would need
19 some clarification since they were annexed into the Town after the subdivision
20 was already established. Bret reported if someone is dedicating a road right-of-
21 way to the Town, the Town would require them to bring the road up to the Town's
22 standards. For those roads that are already dedicated to the Town, the Town
23 could follow the Road Maintenance Program for the roads. Bret commented it
24 would not be feasible for the Town to clear roads that are not up to the Town's
25 standards.
26 b) The Town will continue to plow those roads that have been plowed over the
27 years and the department will be discontinuing plowing roads that do not have a
28 right-of-way identified.
29 c) Mayor Calloway recommended staff add language under the first bullet point
30 under Snow Removal Process for opening Town Roads: "Priority is to have two
31 driving lanes open on all Town collector roads".
32

33 **Motion:** Council Member Marshall moved to adopt resolution No. 483, amending
34 the Brian Head Snow Removal Policy with the following changes:
35 1. C. ADD: "public utilities" after the word hydrants.
36 2. Snow Removal Procedures, first bullet point, ADD: Priority to is to
37 have two driving lanes open on all Town collector roads.
38 Council Member Mulder seconded the motion.

39 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
40 Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway.
41 **Absent:** Council Member Freeberg).
42

43 **Title 4.6: Residential Snow Removal Ordinance:**

44 Aldo explained staff is requesting the Council to adopt a new chapter in Title 4, Nuisances,
45 Sanitation and Environment, for Chapter 6, Residential Snow Removal Regulations (see
46 attached).
47

48 The Council discussed the following:

- 49 a) Mayor Calloway commented that Section B could be difficult for staff to enforce since
50 it requires written permission for someone to store snow on another's property.
51 Mayor Calloway inquired as to how the town will enforce this if an owner denies it.
52 Chief Benson explained the only way for the Town to be involved in dealing with an
53 issue of snow storage on someone else's lot is for the Town to have an ordinance
54 requiring written permission in which the violator could be cited.
55 b) Mayor Calloway commented in his discussion with a snow removal contractor who
56 has indicated there is competition between the companies on where to move and
57 store snow.



- 1 c) Aldo reported staff has suggested Council identify locations on Town owned property
- 2 that contractors and private citizens could transfer their snow storage to. Council
- 3 determined no locations on Town property would be identified.
- 4 d) Currently the Town is experiencing with snow storage issues is not against the law
- 5 and the Town does not have the authority to issue citations. This would give the
- 6 Town authority to issue a citation if needed.
- 7 e) Mike Piscreta, Specialized Mountain Services, commented that he has experienced
- 8 issues with trying to identify snow storage areas and recommended the Council
- 9 approve the proposed change to the code.
- 10 f) The majority of complaints the Town receives are from the snow removal companies
- 11 complaining about each other.
- 12 g) The proposed code would allow the property owner to designate when and where
- 13 they want the snow stored on their property.
- 14 h) Mayor Calloway commented it could cause some property owners to clear more trees
- 15 off of their property in order to make room for snow storage. Bret commented if a
- 16 property owner does not have sufficient snow storage, they are pushing the snow
- 17 into the Town roads and onto other private properties.
- 18 i) Mayor Calloway recommended the following changes: 4.6.2.C: Strike: "keep snow
- 19 from falling: and ADD: "and to any and all". 4.6.2.F Add: "other public utilities". And
- 20 ADD: "Public utilities" after the word "hydrant".
- 21

Title 6.2A Parking Code: Seasonal Parking:

22 Aldo reported staff has identified a snow removal season from November 1st through April

23 30th. Aldo explained the change would be identified in Title 6 of the Town Code under

24 Parking (see attached).

25 The Council discussed the following:

- 26 a) Shaun Kelly, resident, commented the Town Code already identifies how long a
- 27 vehicle can be parked on a town road before being moved which is 72 hours.
- 28 b) Mayor Calloway commented the Town will establish an overnight parking map for the
- 29 public which will allow a vehicle owner to park at one of three locations overnight and
- 30 would like a self-validation system put into place that would have the vehicle owner's
- 31 contact information in a box located in the parking area. This would give the Town
- 32 the ability to contact the owner in case their vehicle needs to be moved.
- 33 c) Council Member Mulder suggested striking the word "until" under the November 1st
- 34 through April 30th sentence. Staff will strike the word.
- 35 d) Bret explained drivers who park their vehicles on town roads could receive an orange
- 36 sticker on their vehicles. Staff will promote education to the public before citing
- 37 vehicles.
- 38 e) The three locations identified by the Town for overnight parking is Chair #1 parking
- 39 lot, North end of Village Way and the Town Hall.
- 40
- 41
- 42

43 Motion: Mayor Calloway moved to adopt ordinance No. 19-004 amending Title 6,

44 Motor Vehicle and Traffic and establishing Chapter 6 in Title 4 for Residential

45 Snow Removal Regulations with the following changes:

- 46 1. 4.6.2.C: Strike: "keep snow from falling" ADD: "and to any and all".
- 47 2. 4.6.2.F: ADD: "other public utilities" and ADD "public utilities" after the
- 48 word "hydrant".
- 49 3. 6.2A.7.A.2: Strike "until".

50 Council Member Marshall seconded the motion.

51 **Action: Motion carried 3-1-0 (summary: Yes = 3, No = 1, Abstain = 0**

52 **Vote: Yes:** Council Member Marshall, Council Member Hunter, Council

53 **Member Mulder. No:** Mayor Calloway).

54

55

56 **5. CONSOLIDATED FEE SCHEDULE RESOLUTION.** A resolution adopting the

57 Consolidated Fee Schedule with an effective date of July 1, 2019

58



1 Wendy Dowland, Public Works Assistant, presented a draft amendment of the
 2 Consolidated Fee Schedule for Council's approval (see attached). Wendy reported there
 3 were a few minor changes to the Consolidated Fee Schedule due to an increase in utility
 4 rates and a section identifying administrative fines. Wendy reported staff will be
 5 monitoring the administrative fines over the course of a year and then reevaluate the
 6 fines.

7
 8 **Motion:** Mayor Calloway moved to adopt resolution No. 484 amending the
 9 Consolidated Fee Schedule and establishing an effective date of July 1, 2019
 10 as presented. Council Member Mulder seconded the motion.

11 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
 12 Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway.
 13 **Absent:** Council Member Freeberg).

14
 15
 16 **6. ORDINANCE REPEALING CHAPTER 1.4 RESIDENTIAL AUTOMATIC FIRE**
 17 **SPRINKLER REQUIREMENT.** An ordinance repealing the Residential Automatic Fire
 18 Sprinkler Ordinance (Title 8, Chapter 1, Section 4 of the Brian Head Town Code).

19
 20 Nancy Leigh, Town Clerk, presented an ordinance repealing Chapter 8.1.4 of the Town
 21 Code for residential automatic fire sprinklers (see attached). Nancy reported this is a
 22 request from the Council from their previous meeting where the Council decided to repeal
 23 the residential fire sprinkler code after holding several discussions on it. This will make it
 24 official for codification purposes.

25
 26 **Motion:** Mayor Calloway moved to adopt ordinance No. 19-005 repealing 8.1.4
 27 Residential Automatic Fire Sprinkler Requirement from the Town Code.
 28 Council Member Hunter seconded the motion.

29
 30 Bret reported he received an email from resident Larry Edgerton, who strongly objected
 31 to repealing the requirement for residential fire sprinklers. Bret read the email to the
 32 Council (see attached).

33
 34 Mr. Larry Edgerton, resident, commented he believed there should have been a public
 35 hearing held on the proposed action before Council took any action to repeal the
 36 requirement for residential fire sprinklers. Mr. Edgerton suggested the Council withdraw
 37 their motion and take time for a study to be completed before any action is taken. Mayor
 38 Calloway commented he and the rest of the Council has given a great amount of
 39 consideration on this issue and he has not changed his position.

40
 41 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
 42 Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway.
 43 **Absent:** Council Member Freeberg).

44
 45
 46 **7. GENERAL PLAN ORDINANCE.** An ordinance adopting the Brian Head General Plan.

47
 48 Bret Howser, Town Manager, presented a final draft of the Brian Head General Plan (see
 49 attached). Bret reported staff is requesting Council's input on the support services
 50 portion of the plan.

51 The Council discussed the following:

- 52
 53 a) Mayor Calloway commented on page 13: General Plan Map in which Cedar
 54 Breaks Lodge's property is zoned as light industrial. Mayor Calloway
 55 commented he believed the lot to be zone as commercial and requested the map
 56 to reflect it. Bret responded staff will verify the zone for Cedar Breaks Lodge
 57 area.



- 1 b) Mayor Calloway commented he does not want to see any light industrial zones
 2 adjacent to Highway 143 going through town. Mayor Calloway commented he
 3 would like to have the consensus of the Council to change the General Plan Use
 4 Map for the entire area of the Cedar Breaks Lodge as General Commercial.
 5 c) Bret reported there were two lots that were boarding the light industrial node that
 6 were to complete a zone change to light industrial and one lot currently on
 7 Spruce Street zoned as light industrial. Mayor Calloway commented he does not
 8 want any light industrial along Highway143.
 9 d) Council Member Mulder commented she has a few corrections to be made: Pg.
 10 46 under “public information” ADD: “and” instead of the symbol “&”. 2nd column,
 11 2nd paragraph, ADD a space between asset replacement. Pg. 47, last section
 12 requires a period at the end.
 13 e) Consensus of the Council: Cedar Breaks Lodge maintenance area will be
 14 identified as commercial. Ribbon of the second and third lot on the south side of
 15 Spruce Street will be identified as light industrial and single-family residential.
 16 The remaining areas currently identified as light industrial will be changed to
 17 commercial.
 18 f) Pg. 19: Bret explained that #4 may be identified in the wrong location. Mayor
 19 Calloway commented that #5 may also be misidentified. #5 should be located
 20 where #2 is showing. #4 will be moved to the north
 21 g) Pg. 24: Policy C3: Mayor Calloway inquired as to whether the language is
 22 sufficient since there has been recent discussion on the dark skies. Mayor
 23 Calloway suggested the language “more compliant with Dark Skies
 24 Communities” be changed to “designated”.
 25 h) Pg. 33, Policy K3: Mayor Calloway commented it should tie into the Town’s trail
 26 systems and surrounding trial system policy.
 27 i) Pg. 41, Policy AA: Switch “retain and recruit” on both policies.
 28 j) Pg. 48, Policy AK1: #1 “work session” change to “Strategic Retreat” ADD:
 29 “create” after the words “To review and create”.
 30 k) Policy AP: Mayor Calloway commented the language needs to be more specific
 31 on the agencies, such as the County Commission, Iron County Coordinating
 32 Council. Staff will list additional entities. ADD the following:
 33 a. “1. Encourage communication between staff and other staff in
 34 surrounding communities”.
 35 b. “2. Continue to be active with participation with the Iron County
 36 Coordinating Council”.
 37 c. 3. Maintain open dialog with the County Commission, State and Federal
 38 representatives”.
 39 d. 4. Foster positive working relationship between Town, Forest Service,
 40 Bureau of Land Management, and State Parks and Recreation. Staff will
 41 complete the list.
 42 l) Mayor Calloway commented he would like to see staff obtain a vinyl sticker of the
 43 Town’s Core Values to be placed in public.
 44 m) Mayor Calloway then called Council Member Freeberg for his vote and approval
 45 for the adoption of the General Plan with the proposed changes stating he would
 46 like the entire Council to vote for the General Plan. Mayor Calloway called
 47 Council Member Freeberg at 3:50 pm.

48
 49 **Motion:** Mayor Calloway moved to adopt ordinance No. 19-006 an ordinance
 50 adopting the Brian Head General Plan with changes identified. Council
 51 Member Hunter seconded the motion.

52 **Action:** **Motion carried 5-0-0 (summary: Yes – 5 Vote: Yes:** Mayor Calloway,
 53 Council Member Hunter, Council Member Mulder, Council Member Marshall,
 54 Council Member Freeberg).

55
 56 Council Member Freeberg was excused via telephone from the meeting at 4:00 pm.
 57
 58



1 **8. REIMBURSEMENT RESOLUTION FOR PURCHASE OF 2019 MOTOR**
 2 **GRADER.** A resolution that allow the Town to be reimbursed from loan proceeds for the
 3 purchase of a motor grader.

4
 5 Bret Howser, Town Manager, presented a reimbursement resolution for the purchase of
 6 the 2019 motor grader (see attached). Bret explained this is a legal requirement if the
 7 Town is spending funds prior to completing the financing. The Town will be paying out of
 8 pocket for the 2019 motor grader and then reimbursed by Zions Bank. This is due to a
 9 timing factor.

10
 11 Mayor Calloway inquired as to why the documents are identifying a lease. Bret
 12 responded that it is financing the equipment, it becomes a lease and is how Zions Banks
 13 refer to the financing mechanism.

14
 15 **Motion:** Mayor Calloway moved to adopt resolution No. 486, a reimbursement
 16 resolution for the purchase of the 2019 motor grader as presented. Council
 17 Member Marshall seconded the motion.

18 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
 19 Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway.
 20 **Absent:** Council Member Freeberg).

21
 22
 23 **9. POTENTIAL FUTURE AGENDA ITEMS.** The Council will discuss potential future agenda
 24 items.

25
 26 **Nightly Rentals and Parking:**

27 Mayor Calloway commented he would like to see staff identify a method for self-validation
 28 parking for nightly rentals completed. Bret explained staff will be reviewing the noise
 29 ordinance and will have a complete packet for the Council on the nightly rentals to
 30 review.

31
 32 **Snowmobile Trail**

33 Mayor Calloway inquired if staff has been in contact with Iron County on the snowmobile
 34 trail that runs over to the Dry Lakes area. Bret reported he has drafted a resolution for
 35 Iron County Commission to adopt, but has not received any response on when it will be
 36 presented to the County Commission Bret reported he will forward the emails onto
 37 Mayor Calloway to bring up at the next Iron County Coordinating Council meeting

38
 39
 40 **G. CLOSED SESSION OF THE TOWN COUNCIL.** To discuss the sale, lease or purchase of
 41 real property.

42
 43 **Motion:** Mayor Calloway moved to recess the regular meeting of the Town Council
 44 and enter into closed session to discuss the sale, lease or purchase of real
 45 property. Council Member Marshall seconded the motion.

46 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
 47 Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway.
 48 **Absent:** Council Member Freeberg).

49
 50 The regular meeting of the Town Council was recessed at 4:10 pm.

51
 52 **Motion:** Council Member Marshall moved to adjourn the closed session of the Town
 53 Council and reconvene the regular meeting. Council Member Hunter
 54 seconded the motion.

55 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
 56 Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway.
 57 **Absent:** Council Member Freeberg).



1 The regular meeting was reconvened at 4:30 pm.
2
3

4 **10. BRISTLECONE POND AND TOWN PIT FIELD TRIP.** A field trip to Bristlecone Pond
5 to review potential areas for improvements and proceed to the Town Pit area for discussion on the
6 future use of the Town Pit.
7

8 The Council recess to take a field trip to Bristlecone Park. Some topics of discussion
9 were as follows:

- 10 a) The placement of sod for future picnic areas.
- 11 b) Location of the zig-zag fence in relation to the snowmobile trail.
- 12 c) Some areas around the pond are showing sliding and damage to culvert areas.
- 13 d) Dredging the pond and possible locations.
- 14 e) Waterspout/ drinking fountain locations
- 15 f) Locations for tree planting and benches
- 16 g) Paving the trail around the pond.

17
18
19 **H. ADJOURNMENT**

20
21 **Motion:** Council Member Marshall moved to adjourn the regular meeting of the Brian
22 Head Town Council for June 24, 2019. Council Member Hunter seconded the
23 motion.

24 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Council Member
25 Hunter, Council Member Mulder, Council Member Marshall, Mayor Calloway.
26 **Absent:** Council Member Freeberg).
27

28 The regular meeting of the Brian Head Town Council acting as the governing body of the Brian Head
29 Special Service District, Redevelopment Agency and Municipal Building Authority was adjourned at
30 5:56 pm for June 24, 2019.
31

32
33
34 July 22, 2019
35 Date Approved
36
37
38

39 _____
40 Nancy Leigh, Town Clerk
41

